REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Upon entry of this Amendment, claims 1-14 are pending in the application. In response to the

Office Action (Paper No. 12), Applicant respectfully submits the pending claims define

patentable subject matter.

Claims 1, 6, 7 and 12 are rejected under 35 U.S.C. § 102(e) as being anticipated by

Fleming (U.S. Patent No. 6,697,484). Claims 2-5, 8-11, 13 and 14 are rejected under 35

U.S.C. § 103(a) as being unpatentable over Fleming in view of DeFazio et al. (U.S. Patent No.

5,940,484; hereafter "DeFazio"). Applicant respectfully submits that the claimed invention

would not have been anticipated by or rendered obvious in view of the cited references.

By this Amendment, Applicant has amended independent claim 1 to recite "at the agent

of the terminal, selecting from among a plurality of external servers at least one external server

likely to be able to provide the information regarding the identity of the caller." Independent

claim 7 has also been amended in a similar manner. Applicant respectfully submits that Fleming,

alone or combined with DeFazio, does not teach or suggest this feature of the claimed invention.

Fleming discloses a method and a telephone system wherein a cellular telephone 30

detects an incoming telephone call and determines if the telephone number of the call's originator

has previously been stored in a memory 38 of the telephone 30. If the originator's telephone

number has not been previously stored, it is stored into the memory 38 of the telephone. In

addition, if an alphanumeric identifier associated with the originator's telephone number was

received with the originator's telephone number, it is also stored into memory 38. If the

alphanumeric identifier was not received, the telephone 30 automatically initiates a call to a

remote computer 12 and transmits the telephone number of the originator to the remote computer

12 which includes a database of telephone numbers and alphanumeric identifiers which have

been assigned to each telephone number. The computer 12 assigns an alphanumeric identifier to

the telephone number and transmits the alphanumeric identifier back to the telephone 30 which

stores the alphanumeric identifier in the memory 38 in association with the telephone number.

See Figs. 1-3 of Fleming.

DeFazio discloses a self-provisioning names database which adds new names to a

database for associating names to calling address data in a caller identification with name

delivery service each time a new caller places a call to a service subscriber. As shown in Figure

1, a calling party 1 places a call through the public switched telephone network 2 and is

ultimately connected to a local switch 3 serving a called subscriber 4 having a telephone and an

associated caller identification display unit 4a. A names database 5 is communicably linked to

the local switch 3. A national or other names database 6 is communicably linked to the names

database 5. When the calling party 1 initiates a call to the called subscriber 4, the local switch (or

private branch exchange switch) requests the names database to provide a name associated with the

telephone number of the calling party 1. The database 5 queries itself, and if no name is found,

initiates a further query or queries to a national database 6 and/or other databases. If a name is

found in the database 5 or the national database 6, the name is provided to the called subscriber 4

when the call is connected to the called subscriber 4.

Accordingly, Applicant respectfully submits that it is quite clear that Fleming does not teach or suggest that the terminal selects from among a plurality of external servers at least one external server likely to be able to provide the information regarding the identity of the caller, as required by the claims. Instead, Fleming simply teaches that the telephone (terminal) 30 automatically initiates a call to the remote computer (external server) 12 which assigns an alphanumeric identifier to the telephone number and transmits the alphanumeric identifier back to the telephone 30. That is, Fleming's terminal does select from a plurality of external servers.

Further, Applicant respectfully submits that even if one of ordinary skill in the art would have been motivated to modify the method and/or system of Fleming based on the teachings of DeFazio, the resulting method and/or system would not select at the agent of the terminal, at least one external server likely to be able to provide the information regarding the identity of the caller from among a plurality of external servers, as required by the claims. As correctly noted by the Examiner in the January 8, 2004 Office Action (page 2, last paragraph), DeFazio does not disclose "the agent resides in the terminal and includes a program or an application that is stored and activated on the terminal." Rather, DeFazio simply discloses that when the local switch of the telephone network receives a call to the called subscriber, the local switch requests a predetermined (first) database to provide a name of the calling party. If the first database is unable to provide a name of the calling party, the first database sends one or more requests to other databases to provide a name of the calling party.

Thus, any modification of the method and/or system of Fleming based on the teachings of DeFazio would simply result in <u>the remote computer 12</u> (not the telephone 30) sending a request or requests to other databases if the remote computer 12 if the remote computer 12 is unable to assign an alphanumeric identifier (name) to the telephone number of the calling party.

Accordingly, Applicant respectfully submits that claims 1-14 should be allowable because the cited references, alone or combined, do not teach or suggest all of the features of the claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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